

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

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This Order Relates To:

Bellwether III Cases

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**ORDER GRANTING IN PART THE STIPULATION REGARDING
DEADLINES FOR BELLWETHER III PRE-TRIAL MOTIONS
[3029]**

The parties submitted a stipulation regarding deadlines for Bellwether III pre-trial motions, which the Court GRANTS IN PART, as set forth below. (ECF No. 3029). The reply briefs regarding Plaintiffs' Motion to Comprehensively Exclude the Novel Biosolids Hypothesis, (ECF No. 2928), VNA's Motion to Exclude Opinions and Testimony of Dr. Aaron Specht, (ECF No. 2916), VNA's Motion to Exclude Certain Opinions of Dr. Edward Hoffman, (ECF No. 2981), will be due July 12, 2024. The in-person hearing regarding those three motions will be reset for August 7, 2024 at 10:00 AM. The Court grants the parties' request to extend the page limit for the parties' replies to these three Daubert

motions to twelve (12) pages. The schedule for Bellwether III is set forth below with changes in bold.

<u>Event</u>	<u>Deadline</u>
Daubert and Summary Judgment Reply Briefs	Defendant's Daubert Motion Reply Briefs: July 12, 2024 (Dr. Specht), July 12, 2024 (Dr. Hoffman) Plaintiffs' Daubert Motion Reply Briefs: July 12, 2024 (Motion to Comprehensively Exclude the Novel Biosolids Hypothesis) Summary Judgment Reply Briefs: June 18, 2024
Deadline for Parties to Submit Joint Proposed Jury Questionnaire to the Court (via e-mail)	July 15, 2024
Motions in Limine—Opening Briefs	July 22, 2024
Motions in Limine—Response Briefs	August 5, 2024

<u>Event</u>	<u>Deadline</u>
Oral Argument on Daubert Motions	In-Person Hearing on ECF Nos. 2916, 2928, 2981 August 7, 2024, 10:00 AM
Motions in Limine—Reply Briefs	August 12, 2024
Deadline for Parties to Ship 200 copies of Juror Questionnaires to Judge Levy's Chambers in Ann Arbor, Michigan	September 6, 2024

<u>Event</u>	<u>Deadline</u>
Summons Jurors to Courthouse to Answer Questionnaires (Court Staff Only) (Jury Department takes approximately one week to process questionnaires and make them available to counsel and the Court)	September 10, 2024 9:00am, cont'd if needed on September 11, 2024 9:00am
Hearing on motions in limine (the Court will notify the parties in advance as to which motions will be argued)	September 12, 2024 10:30am

<u>Event</u>	<u>Deadline</u>
Deposition Designations (due for exchange between parties)	Parties to propose deadline
Objections to Deposition Designations and Counter-Designations (due for exchange between parties)	Parties to propose deadline
Deadline for Submitting Deposition Designations Matrices and Highlighted Transcripts to the Court (via e-mail)	September 16, 2024

<u>Event</u>	<u>Deadline</u>
Parties to File Jointly Proposed Jury Instructions and Verdict Form	September 16, 2024
Parties to Submit Joint Final Pretrial Order (use Utilities function in CM/ECF and e-mail)	September 16, 2024
Parties to Submit Jointly Proposed Voir Dire Questions and Joint Statement of the Case (via e-mail)	September 20, 2024

<u>Event</u>	<u>Deadline</u>
Status Conference Regarding Excusals Based on Jury Questionnaire Responses	TBD
Final Pretrial Conference and Hearing on proposed Jury Instructions and Verdict Form	September 23, 2024 10:30am cont'd if needed on September 24, 2024 10:30am
Deadline for Court to Inform Jury Dept of Excusals Based on Questionnaires (Court Staff Only)	October 2, 2024

<u>Event</u>	<u>Deadline</u>
Hearing Regarding Misc. Pretrial Matters (if needed)	October 7, 2024
First Day of Trial/Voire Dire	October 8, 2024

Hearings will be conducted in person in Ann Arbor, Michigan unless the Court notifies the parties in advance otherwise.

IT IS SO ORDERED.

Dated: July 2, 2024
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge